

# EXHIBIT B

**From:** [Vivianna Morales](#)  
**To:** [Pete, Brian](#)  
**Cc:** [Spiegel, Jeffrey](#); [Lou Pechman](#)  
**Subject:** [EXT] Re: Martinez v. The Box - Settlement Agreement  
**Date:** Wednesday, April 20, 2022 11:58:03 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

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Hi Brian,

Confirmed that we do not represent Ms. Martinez.

Thanks,  
Vivianna

---

**From:** "Pete, Brian" <Brian.Pete@lewisbrisbois.com>  
**Date:** Tuesday, April 19, 2022 at 7:33 PM  
**To:** Vivianna Morales <morales@pechmanlaw.com>  
**Cc:** "Spiegel, Jeffrey" <Jeffrey.Spiegel@lewisbrisbois.com>, Lou Pechman <pechman@pechmanlaw.com>  
**Subject:** RE: Martinez v. The Box - Settlement Agreement

Vivianna and Lou,

Attached is the Complaint filed on behalf of Ms. Martinez of which we just became aware. Just confirming the below that you no longer represent her. Thanks

---

**From:** Vivianna Morales <morales@pechmanlaw.com>  
**Sent:** Friday, October 1, 2021 2:07 PM  
**To:** Cohen, Devin <Devin.Cohen@lewisbrisbois.com>  
**Cc:** Spiegel, Jeffrey <Jeffrey.Spiegel@lewisbrisbois.com>; Pete, Brian <Brian.Pete@lewisbrisbois.com>; Lou Pechman <pechman@pechmanlaw.com>  
**Subject:** [EXT] Re: Martinez v. The Box - Settlement Agreement

Devin,

Apologies for the delay in getting back in touch. Please take note that we no longer represent Shanell Martinez. I will forward her a copy of your e-mail sent today notifying her that the tolling agreement has been terminated by your clients as of today and your position on enforceability of a settlement. However, as you point out efforts to finalize the settlement agreement were unsuccessful, therefore there is no settlement or resolution of Martinez's claims.

Regards,  
Vivianna

---

**From:** "Cohen, Devin" <Devin.Cohen@lewisbrisbois.com>  
**Date:** Friday, October 1, 2021 at 1:43 PM  
**To:** Vivianna Morales <morales@pechmanlaw.com>  
**Cc:** "Spiegel, Jeffrey" <Jeffrey.Spiegel@lewisbrisbois.com>, "Pete, Brian" <Brian.Pete@lewisbrisbois.com>

**Subject:** RE: Martinez v. The Box - Settlement Agreement

Vivianna,

As you are aware, we entered into a tolling agreement with respect to your client's claims in January, 2021, in order to facilitate settlement discussions. Since then we have engaged in multiple settlement communications. In May we accepted your client's demand for \$30,000 and we proceeded forward with drafting the settlement agreement. We have made numerous attempts to finalize this settlement to no avail due to your client's lack of a response and refusal to sign the settlement agreement. At this point, it is our view an enforceable settlement exists and there is no further need for a tolling agreement. As such, this e-mail shall constitute written notice that The Box is terminating the tolling agreement effective today.



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---

**From:** Cohen, Devin  
**Sent:** Tuesday, September 28, 2021 1:38 PM  
**To:** Vivianna Morales <morales@pechmanlaw.com>  
**Cc:** Spiegel, Jeffrey <Jeffrey.Spiegel@lewisbrisbois.com>; Pete, Brian <Brian.Pete@lewisbrisbois.com>  
**Subject:** RE: Martinez v. The Box - Settlement Agreement

Vivianna,

Have you had any further discussions with your client? Can we wrap this up?

Thanks,  
Devin



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**From:** Cohen, Devin  
**Sent:** Tuesday, August 10, 2021 4:00 PM  
**To:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Cc:** Spiegel, Jeffrey <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>; Pete, Brian <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Subject:** RE: Martinez v. The Box - Settlement Agreement

Hello Vivianna,

Any update here?

Thanks,  
Devin

	<p><b>Devin S. Cohen</b> <b>Attorney</b> <a href="mailto:Devin.Cohen@lewisbrisbois.com">Devin.Cohen@lewisbrisbois.com</a> <b>T: 212.232.1339</b></p>
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---

**From:** Cohen, Devin  
**Sent:** Monday, August 2, 2021 5:23 PM  
**To:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Cc:** Spiegel, Jeffrey <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>; Pete, Brian <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Subject:** RE: Martinez v. The Box - Settlement Agreement

Okay, thanks for the update.

	<p><b>Devin S. Cohen</b> <b>Attorney</b> <a href="mailto:Devin.Cohen@lewisbrisbois.com">Devin.Cohen@lewisbrisbois.com</a> <b>T: 212.232.1339</b></p>
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**From:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Sent:** Monday, August 2, 2021 12:20 PM  
**To:** Cohen, Devin <[Devin.Cohen@lewisbrisbois.com](mailto:Devin.Cohen@lewisbrisbois.com)>  
**Cc:** Spiegel, Jeffrey <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>; Pete, Brian <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Subject:** [EXT] Re: Martinez v. The Box - Settlement Agreement

Hi Devin,

Apologies for the delay – our client was talking it over with her accountant. I expect to have the final numbers any day now.

Thanks,  
Vivianna

---

**From:** "Cohen, Devin" <[Devin.Cohen@lewisbrisbois.com](mailto:Devin.Cohen@lewisbrisbois.com)>  
**Date:** Thursday, July 29, 2021 at 5:00 PM  
**To:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Cc:** "Spiegel, Jeffrey" <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>, "Pete, Brian" <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Subject:** RE: Martinez v. The Box - Settlement Agreement

Hey Vivianna,

Were you able to get the numbers?

Thanks,  
Devin

	<p><b>Devin S. Cohen</b> <b>Attorney</b> <a href="mailto:Devin.Cohen@lewisbrisbois.com">Devin.Cohen@lewisbrisbois.com</a> <b>T: 212.232.1339</b></p>
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**From:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Sent:** Monday, July 26, 2021 6:03 PM  
**To:** Cohen, Devin <[Devin.Cohen@lewisbrisbois.com](mailto:Devin.Cohen@lewisbrisbois.com)>  
**Cc:** Spiegel, Jeffrey <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>; Pete, Brian <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Subject:** [EXT] Re: Martinez v. The Box - Settlement Agreement

I will follow up with client now and get back to you.

---

**From:** "Cohen, Devin" <[Devin.Cohen@lewisbrisbois.com](mailto:Devin.Cohen@lewisbrisbois.com)>  
**Date:** Monday, July 26, 2021 at 5:43 PM  
**To:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Cc:** "Spiegel, Jeffrey" <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>, "Pete, Brian" <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Subject:** RE: Martinez v. The Box - Settlement Agreement

Vivianna,

We approve of your suggested edits. Do you have an update on the W2/1099 breakdown?

Thanks,  
Devin

	<p><b>Devin S. Cohen</b> <b>Attorney</b> <a href="mailto:Devin.Cohen@lewisbrisbois.com">Devin.Cohen@lewisbrisbois.com</a> <b>T: 212.232.1339</b></p>
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**From:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Sent:** Tuesday, July 20, 2021 3:05 PM  
**To:** Cohen, Devin <[Devin.Cohen@lewisbrisbois.com](mailto:Devin.Cohen@lewisbrisbois.com)>  
**Cc:** Spiegel, Jeffrey <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>; Pete, Brian <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Subject:** [EXT] Re: Martinez v. The Box - Settlement Agreement

Devin,

Attached are my minor edits. Note that I incorporated your suggested edit to the second paragraph in Section 3.

Client is speaking with her accountant about the W2/1099 breakdown and then we can finalize the agreement.

Thanks,  
Vivianna

---

**From:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Date:** Monday, July 19, 2021 at 4:53 PM  
**To:** "Cohen, Devin" <[Devin.Cohen@lewisbrisbois.com](mailto:Devin.Cohen@lewisbrisbois.com)>  
**Cc:** "Spiegel, Jeffrey" <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>, "Pete, Brian" <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Subject:** Re: Martinez v. The Box - Settlement Agreement

I will have a few comments and hope to turn it around in the next few days. Apologies for the delay on this.

Thanks,  
Vivianna

---

**From:** "Cohen, Devin" <[Devin.Cohen@lewisbrisbois.com](mailto:Devin.Cohen@lewisbrisbois.com)>  
**Date:** Monday, July 19, 2021 at 4:50 PM  
**To:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Cc:** "Spiegel, Jeffrey" <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>, "Pete, Brian" <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Subject:** RE: Martinez v. The Box - Settlement Agreement

Hi Vivianna,

Do you have any comments on our draft agreement or should we prepare it for execution?

Thanks,  
Devin

	<p><b>Devin S. Cohen</b> <b>Attorney</b> <a href="mailto:Devin.Cohen@lewisbrisbois.com">Devin.Cohen@lewisbrisbois.com</a> <b>T: 212.232.1339</b></p>
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**From:** Cohen, Devin  
**Sent:** Tuesday, July 13, 2021 12:49 PM  
**To:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Cc:** Spiegel, Jeffrey <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>; Pete, Brian <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Subject:** Re: Martinez v. The Box - Settlement Agreement

Yes. Please provide comments to the previous draft.

Thanks,  
Devin

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**From:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Sent:** Tuesday, July 13, 2021 12:37:07 PM  
**To:** Cohen, Devin <[Devin.Cohen@lewisbrisbois.com](mailto:Devin.Cohen@lewisbrisbois.com)>  
**Cc:** Spiegel, Jeffrey <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>; Pete, Brian <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Subject:** [EXT] Re: Martinez v. The Box - Settlement Agreement

Hi Devin,

I can confirm that client will accept the \$30K settlement offer from your clients. Should we work off the draft settlement agreement previously sent?

Thanks,  
Vivianna

---

**From:** "Cohen, Devin" <[Devin.Cohen@lewisbrisbois.com](mailto:Devin.Cohen@lewisbrisbois.com)>  
**Date:** Monday, July 12, 2021 at 3:47 PM  
**To:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Cc:** "Spiegel, Jeffrey" <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>, "Pete, Brian" <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Subject:** RE: Martinez v. The Box - Settlement Agreement

Vivianna,

Do you have an update following our July 2, 2021 conversation?

Thanks,  
Devin

	<p><b>Devin S. Cohen</b> <b>Attorney</b> <a href="mailto:Devin.Cohen@lewisbrisbois.com">Devin.Cohen@lewisbrisbois.com</a> <b>T: 212.232.1339</b></p>
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**From:** Cohen, Devin  
**Sent:** Thursday, June 24, 2021 3:54 PM  
**To:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Cc:** Spiegel, Jeffrey <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>; Pete, Brian <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Subject:** RE: Martinez v. The Box - Settlement Agreement

Hi Vivianna,

I have not been able to get in touch with you over the last week.  
Please let us know if you agree with our suggested language so we can finalize the agreement.

Thanks,  
Devin

	<b>Devin S. Cohen</b> <b>Associate</b> <a href="mailto:Devin.Cohen@lewisbrisbois.com">Devin.Cohen@lewisbrisbois.com</a> <b>T: 212.232.1339</b>
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---

**From:** Cohen, Devin  
**Sent:** Wednesday, June 23, 2021 8:20 PM  
**To:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Cc:** Spiegel, Jeffrey <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>; Pete, Brian <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Subject:** RE: Martinez v. The Box - Settlement Agreement

Hi Vivianna,

I tried to reach you by phone today, but was unable to do so.  
Do you agree with our suggested edit below (highlighted)?

Thanks,  
Devin

	<b>Devin S. Cohen</b> <b>Associate</b> <a href="mailto:Devin.Cohen@lewisbrisbois.com">Devin.Cohen@lewisbrisbois.com</a> <b>T: 212.232.1339</b>
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**From:** Cohen, Devin  
**Sent:** Thursday, June 17, 2021 9:51 AM  
**To:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Cc:** Spiegel, Jeffrey <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>; Pete, Brian <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Subject:** RE: Martinez v. The Box - Settlement Agreement

Vivianna,

Following up on Tuesday's email.

Thanks,  
Devin

	<p><b>Devin S. Cohen</b> Associate <a href="mailto:Devin.Cohen@lewisbrisbois.com">Devin.Cohen@lewisbrisbois.com</a> T: 212.232.1339</p>
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**From:** Cohen, Devin  
**Sent:** Tuesday, June 15, 2021 3:39 PM  
**To:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Cc:** Spiegel, Jeffrey <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>; Pete, Brian <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Subject:** RE: Martinez v. The Box - Settlement Agreement

Vivianna,

We are okay with suggested edits up through the second paragraph in paragraph three.

In this paragraph you erased:

- Claimant further acknowledges that she was paid and has received all compensation, wages, bonuses, commissions, and benefits to which she was entitled and that no leave, compensation, wages, bonuses,

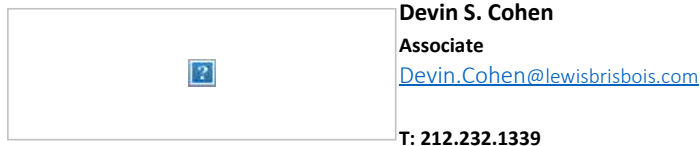
commissions or benefits are due to her apart from the consideration to be paid under this Agreement, and that the consideration she is receiving pursuant to this Agreement is over and above any amounts she alleges were due to her.

In response to your deletion, we suggest adding this sentence:

- Claimant acknowledges that she has been paid and has received all compensation, wages, bonuses, commissions, and benefits, with the exception of those claimed in the Draft Complaint, to which she was entitled and that no other leave, compensation, wages, bonuses commission or benefits are due to her apart from the consider to be paid under this Agreement.

Please let us know if you agree with this change, if so I will send over a final draft of the agreement.

Regards,  
Devin



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**From:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Sent:** Friday, June 11, 2021 5:10 PM  
**To:** Pete, Brian <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>; Cohen, Devin <[Devin.Cohen@lewisbrisbois.com](mailto:Devin.Cohen@lewisbrisbois.com)>  
**Cc:** Spiegel, Jeffrey <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>  
**Subject:** [EXT] Re: Martinez v. The Box - Settlement Agreement

Hi Brian,

I relayed your clients' position that they would not increase the settlement offer past \$30,000 to Ms. Martinez, and she has decided that she will accept the \$30,000 to resolve her claims.

Attached are my minor edits to the settlement agreement.

Vivianna

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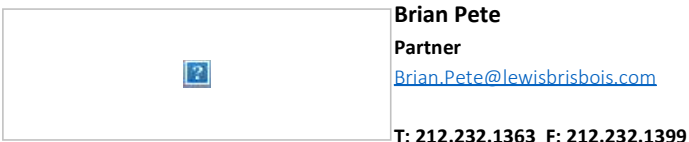
**From:** "Pete, Brian" <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Date:** Friday, June 11, 2021 at 11:54 AM

**To:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>, "Cohen, Devin" <[Devin.Cohen@lewisbrisbois.com](mailto:Devin.Cohen@lewisbrisbois.com)>  
**Cc:** "Spiegel, Jeffrey" <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>  
**Subject:** RE: Martinez v. The Box - Settlement Agreement

Vivianna,

To follow up on your call with Devin, our client is not willing to change the financial terms of our settlement. The \$30,000 amount was proposed by your client and accepted, which is confirmed in writing. Please let us know if you have comments to the settlement agreement.

Thanks



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**From:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Sent:** Wednesday, June 9, 2021 12:02 PM  
**To:** Cohen, Devin <[Devin.Cohen@lewisbrisbois.com](mailto:Devin.Cohen@lewisbrisbois.com)>  
**Cc:** Spiegel, Jeffrey <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>; Pete, Brian <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Subject:** [EXT] Re: Martinez v. The Box - Settlement Agreement


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Thanks for sending.

Brian – do you have time for a quick call today or tomorrow?

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**From:** "Cohen, Devin" <[Devin.Cohen@lewisbrisbois.com](mailto:Devin.Cohen@lewisbrisbois.com)>  
**Date:** Wednesday, June 9, 2021 at 11:52 AM  
**To:** Vivianna Morales <[morales@pechmanlaw.com](mailto:morales@pechmanlaw.com)>  
**Cc:** "Spiegel, Jeffrey" <[Jeffrey.Spiegel@lewisbrisbois.com](mailto:Jeffrey.Spiegel@lewisbrisbois.com)>, "Pete, Brian" <[Brian.Pete@lewisbrisbois.com](mailto:Brian.Pete@lewisbrisbois.com)>  
**Subject:** RE: Martinez v. The Box - Settlement Agreement

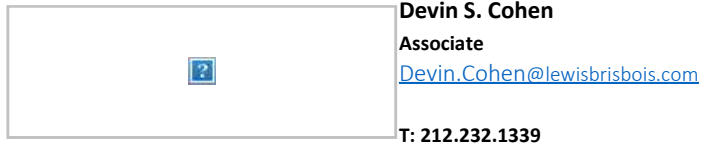
 IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender  
[Devin.Cohen@lewisbrisbois.com](mailto:Devin.Cohen@lewisbrisbois.com)

Vivianna,

Attached please find a draft of the settlement agreement for this matter.

Please let us know if you have any comments.

Thanks,  
Devin



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